

REMARKS

The Examiner's communication dated November 28, 2005 has been received and carefully considered. In conformance with the applicable statutory requirements, this paper constitutes a complete reply and/or a bona fide attempt to advance the application to allowance. Specifically, claims 1, 3, 5 and 7 have been amended and detailed arguments in support of patentability of all claims have been included. New claims 8-19 have been added. Reexamination and/or reconsideration of the application as amended are respectfully requested.

Summary of the Office Action

Claims 3-7 were indicated as containing allowable subject matter.

Claim 7 was objected to for a minor informality.

Claims 1-2 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosenblatt (U.S. Patent No. 5,662,594) in view of Carter et al. (U.S. Patent No. 5,254,078).

Specification

The Abstract of the Disclosure was objected to for a minor informality. With this response, the Abstract has been carefully amended to overcome this objection.

The title of the invention was also objected to for a minor informality. With this response, the title has been carefully amended, as suggested by the Examiner, to overcome this objection.

Claim Objections

Claim 7 has been carefully amended to overcome the objection asserted thereagainst by the Examiner.

The Claims Distinguish Patentably Over the Reference(s) of Record

Claim 1, as amended, calls for a hand fixing member to include (i) a dorsum manus member for wrapping the back of a hand and a wrist of the hand and (ii) a palm member for supporting a palm of the hand, wherein the dorsum manus and palm members form a pair.

Claim 1 further calls for a connecting member to include **discrete** right and left connecting

members which form a pair for wrapping the region from the wrist to below an elbow of the wrist.

In rejecting original claim 1, the Examiner indicated that lower member 80 of Rosenblatt included right and left connecting members. While Applicant does not necessarily agree that a single lower member 80 can be used in rejecting right and left connecting members, Applicant nonetheless has amended claim 1 to specifically call for the right and left connecting members to be **discrete** right and left connecting members. Thus, the right and left connecting members must be distinct from one another. In contrast, the lower member 80 of Rosenblatt appears to be a unitary member and the portions thereof indicated as the Examiner of being right and left connecting members cannot be said to be discrete left and right connecting members. Rather, the alleged right connecting member of Rosenblatt is merely a right side portion of lower member 80 and the alleged left connecting member is merely a left side portion of lower member 80.

Additionally, the Examiner asserted that wrist member 107 of Rosenblatt is a dorsum manus member. Claim 1 calls for a hand fixing member including a dorsum manus member for wrapping the back of a hand a wrist of the hand. The alleged dorsum manus member 107 of Rosenblatt is merely a wrist member that is not disclosed as being dorsum manus member for wrapping the back of a hand and a wrist of the hand. Thus, Applicant respectfully submits that Rosenblatt fails to disclose the dorsum manus member of claim 1.

Conceding that Rosenblatt fails to disclose a hand fixing member including a palm member, the Examiner indicates that it would have been obvious to one skilled in the art to have provided the splint disclosed by Rosenblatt with a palm member as taught by Carter "to provide pressure to the metacarpal bones to promote healing." *Office Action at page 4.*

Applicant respectfully disagrees that such a combination would be obvious. Particularly, Applicant disagrees because the alleged dorsum manus member 107 of Rosenblatt is merely a wrist member and thus one skilled in the art would not be motivated to add a palm member to a wrist member. Though Carter may disclose a pair of hand fixing members that apply pressure to metacarpal bones of the hand to promote healing, this does not provide the necessary motivation to add a palm member to a wrist member, such as wrist member 107. Again, Applicant challenges whether the wrist member 107 is properly asserted as a dorsum manus member as required in claim 1. Moreover, Applicant further challenges that it is not obvious to combine a palm member with a wrist member for



purposes of providing a hand fixing member including a dorsum manus member for wrapping the back of a hand and a wrist of the hand and a palm member for supporting a palm of the hand.

For all of these reasons, Applicant respectfully submits that claim 1 and claims 2-8 dependent therefrom are in condition for allowance.

Applicant further submits that new claims 9-19 patentably distinguish over the references of record.

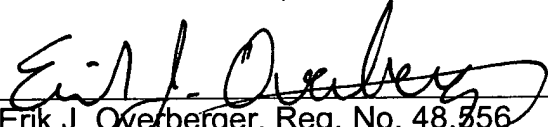
CONCLUSION

All formal and informal matters having been addressed, it is respectfully submitted that this application is in condition for allowance. It is believed that the claim changes clearly place the application in condition for allowance, defining over any fair teaching attributable to the references of record. Alternatively, if the Examiner is of the view that the application is not in clear condition for allowance, it is requested that the Examiner telephone the undersigned for purposes of conducting a telephone interview to resolve any outstanding differences. Accordingly, an early notice of allowance is earnestly solicited.

Respectfully submitted,

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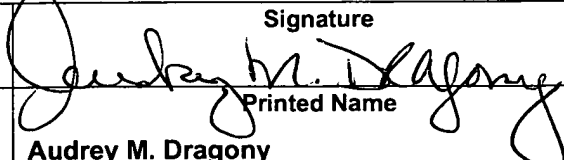
February 28, 2006
Date


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